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10 Attorneys for Defendants
11 CITY OF SAN RAFAEL and
12 TWIN CITIES POLICE AUTHORITY

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA

15 JOSE HERNANDEZ, ALMA HERNANDEZ,
16 JOSH HERNANDEZ, individually and as
17 guardian ad litem for TAMMY HERNANDEZ,
18 a minor,

19 Plaintiffs,

20 v.

21 COUNTY OF MARIN, CITY OF SAN
22 RAFAEL, TOWN OF CORTE MADERA,
23 CITY OF LARKSPUR, TWIN CITIES
24 POLICE DEPARTMENT and DOES 1-100,
25 inclusive,

26 Defendants.

Case No. CV 11-03085 JSW

**JOINT STIPULATION
TO CONTINUE ENE DEADLINE**

27 The parties, by and through their respective counsel, hereby stipulate and request that the Early
28 Neutral Evaluation deadline in this matter be extended from May 25, 2012 to a date 30 days after this
court issues an order on the defendants City of San Rafael and Twin Cities Police Authority's motion to
dismiss the second amended complaint (scheduled for hearing on August 10, 2012), based on the
following:

The ENE deadline in this case initially was scheduled for February 25, 2012 and was extended to

May 25, 2012 after the parties filed a stipulation and order requesting the continuance pending the outcome of then-pending motions to dismiss (Docket #35.)

On April 14, 2012, this Court issued its order granting in part and denying in part defendants' motion to dismiss (Docket #39). Plaintiffs were given leave to amend certain claims.

On April 25, 2012, plaintiffs filed a second amended complaint. (Docket # 40.) In the second amended complaint, plaintiffs add new individual defendant parties whom they have not yet served.

On May 16, 2012, defendants City of San Rafael and Twin Cities Police Authority filed a motion to dismiss the second amended complaint, which motion is scheduled for hearing on August 10, 2010 – the earliest available date on this Court's calendar. The recently-added individual defendants likely will file motions to dismiss once served.

All counsel discussed the ENE deadline and agreed to request a continuance until after the motion to dismiss has been ruled on because the ENE session would be more effective if held after an order is entered on the motion to dismiss and the parties have a better understanding of what claims may go forward.

In the interim, the parties are undertaking to complete multiple depositions, including all plaintiffs' depositions. The parties believe that completing these depositions also will make the ENE session more effective.

Dated: May 16, 2012

Respectfully submitted,

/s/ Richard W. Osman

RICHARD OSMAN

Attorney for Defendants

City of San Rafael and Twin Cities

Police Authority

/s/ Owen Mayer

OWEN MAYER, Attorney for Plaintiffs

/s/ Renee Giacomini-Brewer

RENEE GIACOMINI-BREWER

Attorney for Defendant County of Marin

ORDER

Good cause appearing, the ENE deadline in this matter is continued from May 25, 2012,
to October 12, 2012.

Dated: May 21, 2012


HONORABLE JEFFREY S. WHITE